

ORDINANCE NO. _____

An ordinance to amend the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County by abandoning a portion of Alley Number 2005 right-of-way from the dead-end south of Fern Avenue to the dead-end north of Fern Avenue. (Proposal Number 2020M-006AB-001).

WHEREAS, it is the desire of all the abutting property owners that said abandonment of right-of-way be accomplished; and,

WHEREAS, the abandonment has been requested by Shawn O'Malley, applicant; and,

WHEREAS, there is no future need for said right-of-way for Metropolitan Government of Nashville and Davidson County purposes.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the Geographic Information Systems (GIS) Street and Alley Centerline Layer for The Metropolitan Government of Nashville and Davidson County, as enacted by Ordinance No. 2019-96, be and hereby is amended as follows:

Alley #2005 from the dead-end south of Fern Ave to the dead-end north of Fern Ave, between Burch Ave and Katie Ave, all of which is more particularly described by lines, words and figures on the sketch which is attached to and made a part of this ordinance as though copied herein, is hereby abandoned.

Section 2. That easements are herein retained by The Metropolitan Government of Nashville and Davidson County, its agents, servants, and/or contractors and utility companies operating under franchise(s) from the Metropolitan Government for the right to enter, construct, operate, maintain, repair, rebuild, enlarge, and patrol its now existing or future utilities, including drainage facilities, together with their appurtenances, and to do any and all things necessary and incidental thereto.

Section 3. In the event there is proposed any construction over, above, or under said existing utilities, that said construction shall have the approval of the Director of Public Works and/or the Director of Water and Sewerage Services, together with the approval of any other pertinent departments of the Metropolitan Government or other governmental agency, including the Nashville Electric Service.

Section 4. That the Director of the Department of Public Works be and hereby is authorized and directed, upon the enactment and approval of this ordinance, to cause said change to be made on said GIS Centerline Record as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 5. Amendments to this legislation may be approved by resolution.

Section 6. This ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:

Mark Sturtevant, Director
Department of Public Works

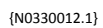
INTRODUCED BY:

APPROVED AS TO FORM AND LEGALITY:

Members of Council

Assistant Metropolitan Attorney

Council District #2



Metropolitan Government Department of Public Works

750 South 5th Street ♦ Nashville, TN 37206 ♦ (615) 962-8750 ♦ www.nashville.gov/mpw

Mandatory Referral Application: *Street / Alley Closure*

*** Before filing this application, please review checklist on the back of this application. ***

Mandatory Referral Project No. _____
(MPW staff assigns project #)

Date Submitted: 1-23-2020

Closure Type:

- ☐ Street
☐ Alley

Easements:

- ☒ Retain utilities
☐ Abandon utilities & relocate at applicant's expense

Street/Alley Location:

~~UNIMPROVED~~ ALLEY # 2005

Street Name(s) / Alley Number(s)

FROM DEAD END S OFF FERN AVE TO DEAD END N OF FERN AVE

Street / Alley Located Between?

Reason for Closure:

Abandoned Alley way that had
20' tall trees growing on it neighbors no longer
want or need the Alley way

Applicant: All correspondence will be mailed to the applicant.

☐ Architect ☐ Engineer ☒ Property Owner ☐ Other: _____

Name: SHAWN O'MALLEY

Business: _____

Address: 113 FERN AVE.

City: NASHVILLE State: TN Zip: 37207

Phone: 615.220.3017

Fax: business home business mobile

Fax: business home business mobile

E-mail: SOMALLEY@EMBERO6000

Applicant's Signature: WENBG.COM

Filing Fee (All application fees are non-refundable)


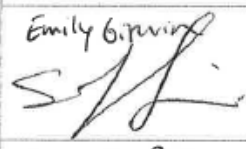
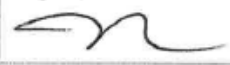
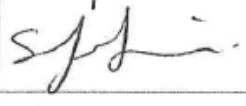
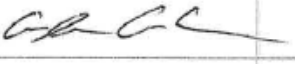
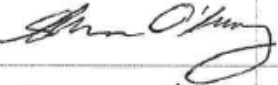

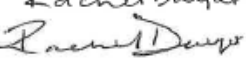
Street / Alley Closure: \$300.00

Amount paid: \$ 300.00

Accepted by: BC

Date: 1-23-2020

As the owner(s) of property, I/we agree to the submission of this mandatory referral application to the Metropolitan Government Department of Public Works for a street and/or alley closure. We live adjacent to this street/alley and/or we consider ourselves an affected property owner.

Printed Name & Signature (required)	Address	Phone #	Map	Parcel	
M. Beyer 	1201 Kathe St	646-279-786	71-14	011	✓
Emily Bivins 	1201 Kathe St	646 420 2202	71-14	011	✓
M. Beyer 	1203 Kathe St	646-279-786	71-14	012	✓
Emily Bivins 	1201 Kathe St	646 420 2202	71-14	012	✓
Gerry Gilhool 	727 Gatestone St. Baltimore, MD 20878	310-488- 8992	71-14	013	✓
Shawn O'Malley 	113 Fern Ave	431-220-3017	71-14	399	✓
Connor Dwyer 	1220 John L (Copeland) Blvd	3185488731	71-14	127	✓
Rachel Dwyer 	1220 John L. Copeland Blvd.	(715) 523-0892	71-14	127	NOT NEEDED
SEAN THOMAS PERSON	1220 JOHN L. COPELAND BLVD. 37207		71-14	127	

SEE EMAIL FROM
DISTRICT 3 CM

SIGNATURE(S)

(copy this sheet if needed for additional signatures)

As the owner(s) of property, I/we agree to the submission of this mandatory referral application to the Metropolitan Government Department of Public Works for a street and/or alley closure. We live adjacent to this street/alley and/or we consider ourselves an affected property owner.

SEE E-MAIL FROM DISTRICT 2 CM

Printed Name & Signature (required)	Address	Phone #	Map	Parcel
Brooke Gilliam <i>B. Gilliam</i>	110 Fern Ave. Nashville, TN	270-635-1004	71-14	409 ✓
BRUCE GILLIAM <i>B. Gilliam</i>	110 Fern Ave Nashville, TN	(615) 973-0927	71-14	409 ✓
O'MALLEY FAM. TRST	1101 CUTTERS GROVE RD KINGSTON SPRINGS, TN 37082		71-10	113
BESSIE A. STROUD	1213 KATIE AVE 37207		71-14	17
HILLTOP EQUITY PARTNERS	1211 KATIE AVE 37207		71-14	16 15
BESSIE BROWN	105 NEWTON NOOK BRENTWOOD, 37027		71-14	14
GREGORY BULLARD	108 FERN AVE 37207		71-14	75
CALLIGAN FAMILY LIMITED PARTNERSHIP	1132 HWY 41 BYPASS VENICE, FL 34293		71-14	24

Crumby, Bonnie (Public Works)

From: Toombs, Kyonzté (Council Member)
Sent: Thursday, November 14, 2019 9:19 AM
To: Crumby, Bonnie (Public Works)
Subject: Alleyway #2005 abandonment

Hi Bonnie,

You received a mandatory referral application for an alleyway abandonment in District 2 from Shawn O'Malley.

I approve of the alleyway abandonment and would like for Public Works to accept the application without all signatures of adjoining property owners. The missing signature(s) is from an out of town investor(s) who doesn't live there. The residents have tried reaching out and have sent certified letters to those owners with no response back.

Kyonzte Toombs
Metro Councilwoman, District 2
Metropolitan Government of Nashville and Davidson County
One Public Square, Suite 204
P.O. Box 196300
Nashville, TN 37201
kyonzte.toombs@nashville.gov
[Tel:615-601-5127](tel:615-601-5127)